

REMARKS

Claim 3 has been rewritten as independent claim 34 incorporating all the limitations of rejected base claim and the limitations of any intervening claims and is therefore believed to be allowable as are dependent claims 35 - 37.

The Examiner has rejected a number of claims under 35 U.S.C. 102(e) as being anticipated by published US patent application 2004/02033 by Kelton that describes a system for providing data to multiple devices and methods thereof. Kelton is directed at a wireless LAN and not to a multimedia source device coupled to a multimedia display device. Kelton does not even suggest the data source 110 shown in Fig. 1 is a multimedia source and actually teaches away that the first device 160 is a display since first device 160 includes a transmitter 164 that enables first device 160 to communicate with other devices on the LAN. Therefore, clearly first device 160 was not contemplated to be any sort of a display device. Furthermore, in keeping with the fact that Kelton is directed at a LAN, Kelton reiterates many times that the links are wireless links and that at paragraph [0026], “the plurality of devices is associated with a communication standard, such as IEEE 802.11 communication standard”, or more commonly referred to as WiFi. The IEEE 802.11 standard is well known to be bi-directional in nature and cannot be construed as providing a unidirectional main link and a separate bidirectional auxiliary channel as required by the invention. All communication links between all the devices in Kelton are bidirectional in nature that is again emphasized by Kelton in Fig. 1 showing transceiver 140 that acts to both send and receive. For example, the Examiner relies upon Fig. 1 and states that “a multimedia display device (first device 160, fig.1) coupled by way of a unidirectional main link (first channel 150 fig. 1)” at page 3 first paragraph of the Office Action mailed August 19, 2008. As stated above, the Applicant believes that the first device 160 cannot be construed to be a display device since there is absolutely no teaching in that regard and the first channel 150 cannot be considered a unidirectional main link as the first channel 150 must be bidirectional.

In contrast, the invention as recited in claim 1 specifically teaches multimedia source device in communication with a multimedia display device by way of a unidirectional main link and a bi-directional auxiliary channel. In particular, claim 1 recites:

A method of real time optimizing transmission of a number of multimedia data packets between a multimedia source device and a multimedia display device coupled by way of a unidirectional main link arranged to carry the multimedia data packets from the multimedia source device and the multimedia display device and a separate bi-directional auxiliary channel arranged to transfer information between the multimedia source device and the multimedia display device, comprising:

providing a test pattern by the multimedia source device on the main link;
determining a transmission quality factor of the main link based upon the test pattern; and
optimizing the transmission of the multimedia data packets based upon the transmission quality factor.

Therefore, the Applicants believe that claim 1 is not anticipated by Kelton and is allowable. Independent claim 12 recites essentially the same limitations as does claim 1 and is also believed to be allowable as are all claims depending from either claims 1 or 12.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are allowable. Should the Examiner believe that a further telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER LAW GROUP LLP

/Michael J. Ferrazano/
Michael J. Ferrazano
Reg. No. 44,105

P.O. Box 1687
Cupertino, CA 95015-1687
(408) 255-8001